

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KIM EDWARD ROGERS,

Plaintiff,

v.

DON NOTTOLI, et al.,

Defendants.

No. 2:22-cv-01085 KJM AC

ORDER TO SHOW CAUSE

Plaintiff, appearing in pro se, filed a complaint on June 24, 2022. ECF No. 1. On August 3, 2022 plaintiff paid the filing fee and a scheduling order was issued that ordered the plaintiff to serve a copy of the scheduling order and complete service of process within 90 days of filing the complaint. ECF No. 4 at 2. Plaintiff was cautioned that failure to complete service within 90 days may result in dismissal pursuant to Fed. R. Civ. P. 40(m). Id. That deadline has passed, and no certificate of service has been filed.

Local Rule 110 provides that failure to comply with court orders or the Local Rules “may be grounds for imposition of any and all sanctions authorized by statute or Rule or within the inherent power of the Court.”

Accordingly, IT IS HEREBY ORDERED that:

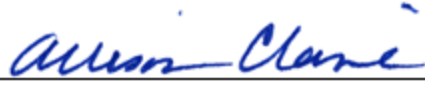
1. Plaintiff is Ordered to Show Cause, in writing no later than December 14, 2022, why this action should not be dismissed for failure to prosecute;

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2. Plaintiff's filing of a proof of service upon defendant will be deemed good cause shown;  
and

3. If plaintiff fails to comply with this order, the case will be dismissed without prejudice for  
failure to prosecute.

DATED: November 30, 2022

  
ALLISON CLAIRE  
UNITED STATES MAGISTRATE JUDGE